

Language Access in Education: Standing Strong Through Policy Changes

A Resource from the American Association for Interpreters and Translators in Education

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Understanding Executive Authority and Legal Foundations

The Impact of Recent Policy Changes

The rescinding of Executive Order 13166 and all related guidance and policies thereafter represent a significant federal retreat from language access enforcement, and Executive Order 14244 and the July 2025 DOJ memorandum are an attempt to sever the legal connection between language barriers and national origin discrimination established by Lau v. Nichols in 1974.

The July 2025 DOJ memorandum directs federal agencies to:

- *Minimize "non-essential" multilingual services.*
- *Leverage AI translation without quality oversight.*
- *Redirect resources towards English-only education.*
- *Explicitly reject disparate impact analysis under Title VI.*
- *Encourage use of technology to communicate with Limited English Proficiency (LEP) individuals.*

Despite these shifts, protective factors remain strong:

- *Federal laws that govern language access have not been overturned.*
- *Over 45 state and local language access laws exceed federal minimum requirements.*
- *Sector-specific laws, such as Section 1557 of the ACA maintain independent requirements.*

While the federal language services market may contract, state/local authority and sector-specific regulations will provide some protection of existing language access infrastructure.

Executive Orders: Powers and Limitations

Executive Orders CAN:

- *Direct federal agency interpretation and enforcement of the law.*
- *Change agency priorities and resource allocation.*
- *Rescind previous executive orders and guidance.*
- *Influence enforcement mechanisms and oversight.*
- *Redirect federal funding within existing appropriations.*

Executive Orders CANNOT:

- *Override or nullify existing federal laws.*
- *Eliminate rights established by Supreme Court precedent.*
- *Remove regulatory requirements without going through the proper steps to change the rules..*
- *Bypass constitutional protections.*
- *Change state or local laws.*

This distinction is crucial: While EO 14224 and the Bondi memo dramatically alter federal enforcement of language access requirements, they cannot eliminate the underlying legal obligations established by Congress and the courts.



The Current Reality: Understanding What's Changed and What Remains

Federal Infrastructure Disruption

The educational policy landscape has shifted dramatically in 2025.

Cuts at the Department of Education



Workforce reduced by 50% (2,183 of 4,133 employees laid off).



Office for Civil Rights largely disbanded: 7 of 12 regional offices closed.



Office of English Language Acquisition (OELA) effectively eliminated—down from supporting 10+ million children with 16 staff to minimal presence.



107 active National Professional Development grants and 15 Native American/Alaska Native grants left without technical assistance.



The Irony We Must Address As one advocate noted: "You just declared English the official language while eliminating the very office that helps students learn English—make it make sense."

What These Changes DON'T Mean

Laws Haven't Changed—But Enforcement Capacity Has

Despite federal disruption, these laws still protect language access in education:

Title VI of the Civil Rights Act (1964): Prohibits national origin discrimination, including language-based discrimination.

Equal Educational Opportunities Act (1974): Requires schools to take "appropriate action" to overcome language barriers.

IDEA: Mandates parent participation in IEP process in language they understand.

ADA & Section 504: Require effective communication regarding disabilities.

FERPA: Parents have right to understand their children's educational records.

Key Message: "Language access is not optional—it's essential for educational equity and legally required under multiple federal laws."



What is at Stake for Translators and Interpreters

School districts may faze out translators and interpreters from their jobs due to the English only executive order

The Department of Justice (DOJ) will lead a coordinated effort to reduce "non-essential multilingual services" and redirect resources toward English-language education and assimilation.

The DOJ will conduct an internal inventory of all non-English services and create a plan to phase out "unnecessary multilingual offerings". The funds saved from these reductions may be redirected to programs that expedite English-language acquisition.

Federal agencies will be encouraged to review and rescind any prior guidance that conflicts with the new order, unless legally mandated. This could lead to the end of many agencies' language access policies.

The memorandum suggests using technological advancements, such as artificial intelligence and machine translation, as a cost-effective way to address language barriers, though some articles note that these alone are often insufficient for "meaningful access."

What is at Stake for Parents

- 1 — *Multilingual parents who rely on federal government services may face a reduction or elimination of non-English services.*
- 2 — *The guidance is an attack on the civil rights legacy that has made public services—including housing, nutrition, health, and education programs—more accessible to all members of the community, regardless of their English proficiency.*
- 3 — *The guidance may undermine the ability of federal programs and their grantees (such as schools and states) to provide translated materials or interpretation for families.*
- 4 — *This could make it more difficult for multilingual parents to access essential public services and support for their families.*
- 5 — *Multilingual parents may face a reduction or elimination of non-English services from the federal government.*
- 6 — *The DOJ is temporarily suspending all public-facing materials related to language access for individuals with LEP, including [LEP.gov](https://www.dhs.gov/lep) and training materials. These will be replaced with new guidance reflecting the new Executive Order.*

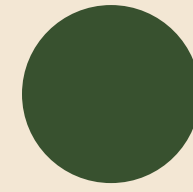


What is at Stake for Educators and Students



For Students:

- *The new guidance will make the U.S. education system "less effective for children of immigrants and English learners."*
- *Student might not receive interpreting or translating services at their school*
- *Schools must still welcome and serve all students and take affirmative steps to address language barriers so that English Learner students can participate meaningfully in their schools' educational programs.*



For Educators:

- *The guidance, though primarily for federal agencies, hints that it may extend to "grants" and "subgrantees," such as school districts.*
- *This could lead the administration to illegally mandate that federal funds for English learners (Title III grants) can only be used for "English-only programming," directly undermining best practices and educational research.*

Resources:

[NILC Trump Administration's Attempts to Dismantle Language Access Do Not Erase Civil Rights Law](#)

[Choosing English-Plus, Not English-Only: What's Wrong with the Administration's New Language Access Guidance](#)

Why Maintaining Services Is Both Strategic and Essential

The Numbers Tell the Story

Demographics Don't Follow Politics

10M+

English Learner students nationwide

5M

Children in LEP households

These numbers continue growing regardless of policy shifts

Parent language needs remain constant





i For Students with Disabilities: Double Protection
Students who are English Learners with disabilities have overlapping protections—IDEA, ADA, and Section 504 all require communication in a language parents understand. Denying language assistance or using AI alone for these critical meetings could violate multiple federal laws.



The Cost of Cutting vs. Maintaining

Short-term "Savings" = Long-term Costs

Dismantling language assistance programs now means:

-  Higher Rebuilding Costs
When policies inevitably shift (history shows 4-8 year cycles)
-  Lost Relationships
Trained interpreter connections that take years to establish
-  Eroded Trust
Community trust that may never fully return
-  Legal Vulnerability
Increased risk during transition
-  Academic Regression
For English Learners

Remember: "We cannot afford NOT to provide language access—the consequences affect student achievement, safety, community trust, and legal compliance."



Proactive Strategies: From Panic to Planning

Immediate Actions for Districts

Don't Panic—Plan

1

Step back and understand what's changing vs. what's legally required.

2

Maintain current effective practices—don't dismantle what works.

3

Assess your community's actual language needs with current data.

4

Engage focus groups with parents, community members, and bilingual staff.

5

Review how language access aligns with your school's mission and vision.

6

Examine funding beyond federal sources—state, local, philanthropic.

7

Create efficiencies where technology can support (not replace) human services.

Smart Use of Technology

AI Has a Place—But Know Its Limits

✓ Appropriate for:

- Simple communications
- Appointment scheduling
- Initial contact

✗ Never for:

- IEP meetings
- Complex educational discussions
- Emotional/behavioral situations
- Legal/disciplinary proceedings

Critical Point: "Human connection is irreplaceable in education—technology should support, not replace, qualified interpreters and translators."



Building Your Advocacy Coalition

Coordinate Your Message

- Partner with AAITE, ATA, NAJIT, and other organizations
- Work with neighboring districts for unified messaging
- Engage both Republican and Democratic legislators—this isn't partisan
- Combine data with personal stories for maximum impact

Frame It Effectively

- Focus on educational outcomes, not political positions
- Emphasize student achievement and school mission
- Highlight community trust and parent engagement
- Document success stories and cost-effectiveness

Key Messages for Different Stakeholders

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For School Administrators

"Despite federal changes, your legal obligations remain. Maintaining language services protects your district from liability while ensuring all students succeed. The risk of non-compliance—legally, educationally, and reputationally—far exceeds the investment."

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For School Boards

"Your community's needs don't change with election cycles. When federal priorities shift again—and history shows they will—rebuilding dismantled programs will cost far more than maintaining them. This is about fiscal responsibility and educational excellence."

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For Educators

"You remain on the front lines. Document your efforts to communicate with LEP families. Your professional judgment about student needs carries even more weight now. Professional interpretation isn't a luxury—it's essential for you to do your job effectively."

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For Parents and Community

"Your rights haven't changed. Schools must still communicate with you about important matters in a language you understand. If services are denied, document everything and contact your state education department or advocacy organizations."

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For Legislators

"Language access isn't partisan—whether your constituents speak English or not, they all vote. Supporting language access means supporting student achievement, parent engagement, and community integration."

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Looking Forward: Resilience Through Uncertainty

What We Know from History

Federal education priorities shift with administrations, but:

Legal Protections Endure

Core legal protections have survived 50+ years

State Laws Strengthen

State laws often strengthen when federal enforcement weakens

Community Needs Persist

Community needs persist regardless of political climate

Services Remain Essential

Professional language services remain essential for educational equity

Our Call to Action

“Today is not about whether schools can afford these services—it's about whether they can afford NOT to have them.”

Giovanna Carriero-Contreras, AAITE Chair

Educational interpreters and translators, you are:



The bridge between schools and families



The voice for parents who would otherwise be silenced



The key to educational equity for millions of students



More essential now than ever before

Your professionalism, dedication, and expertise provide the stability our educational communities desperately need during these uncertain times.



Real Stories, Real Impact

Share how interpreters and translators:



Enable parent participation
in their child's learning journey



Prevent emergencies
through clear health and safety communication



Build trust
between schools and diverse communities



Navigate systems
helping families understand complex educational processes



Support achievement
for students who might otherwise fall behind

Final Thought

"A school without language access is like a building without ramps—discriminatory and illegal under federal law."

Let's work together to ensure no family is silenced, no student is left behind, and no one is excluded from the educational process. Our diversity of languages and cultures isn't a challenge to overcome—it's one of our greatest educational assets.

For advocacy resources, letter templates, and social media toolkits, visit [AAITE website]. Together, we can transform uncertainty into inclusion.



This document provides general information about current policies. Schools should consult legal counsel regarding specific compliance obligations.

